

FORM PTO-1390
(REV 11-98)

DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

211A 2828 PCT

U.S. APPLICATION NO. (If known, see 37 CFR 1.51)

INTERNATIONAL APPLICATION NO.
PCT/JP98/03719INTERNATIONAL FILING DATE
August 21, 1998PRIORITY DATE CLAIMED
August 21, 1997TITLE OF INVENTION BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING MATERIAL
AND A PROCESS FOR PREPARING THE SAMEAPPLICANT(S) FOR DO/EO/US
MINORU TAKEBE and MASAKAZU MORIMOTO

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
 - a. Copy of Form PCT/IB/308
 - b. Two (2) Sheets of Drawings.

17. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO \$970.00

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO \$840.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but
international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$760.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)
but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)
and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 840.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ n/a

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	12 - 20 =	0	X \$18.00
Independent claims	03 - 3 =	0	X \$78.00

\$ n/a

\$ n/a

MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$260.00

\$ 260.00

TOTAL OF ABOVE CALCULATIONS =

\$1,100.00

Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement
must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

\$ n/a

SUBTOTAL =

\$1,100.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$ n/a

TOTAL NATIONAL FEE =

\$1,100.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

TOTAL FEES ENCLOSED =

\$1,100.00

Amount to be:
refunded
charged

\$

\$

a. ☒ A check in the amount of \$ 1,100.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 11-1445. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

KODA & ANDROLIA
10100 Santa Monica Boulevard
Suite 2340
Los Angeles, CA 90067
(310) 277-1391 -Tel
(310) 277-4118 -Fax

SIGNATURE:

William L. Androlia

NAME

27,177

REGISTRATION NUMBER



Receipt

211A 2828 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
MINORU TAKEBE et al.
Serial No. 09/284,935
Filed: May 3, 1999
For: BENEFICIAL MICROORGANISM PROPAGATION-
PROMOTING MATERIAL AND A PROCESS FOR
PREPARING THE SAME

Attention: Application
Processing Division's
Customer Correction Branch

RECEIVED

NOV 19 1999

TECH CENTER 1600/2900

LETTER

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

In connection with the above-identified application, upon review of the Filing Receipt, a copy of which is enclosed, it was found that it contained errors. Instead of "Filing Date: 06/01/99," the correct Filing Date should be --FILING DATE: 05/03/99-- as indicated in the enclosed copy of a letter dated August 10, 1999; instead of "Fil Fee Rec'd: \$1,100.00," the correct amount of the Filing Fee Received should be --FIL FEE REC'D: \$1,230.00-- which includes the filing fee as filed on May 3, 1999 for \$1,100.00 and the late filing fee of \$130.00 filed on May 27, 1999; and instead of "Growth Promoting Material for useful Microorganisms and Process for Producing the Same," the correct Title of Invention should be --BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING MATERIAL AND A PROCESS FOR PREPARING THE SAME--. Also enclosed for your reference are copies of a letter dated May 27, 1999, a returned postcard stamped by the Patent Office, a letter and a returned postcard stamped by the Patent Office dated May 3, 1999, and a PCT Application Transmittal Form.

It is therefore respectfully requested that the Patent Office correct its records and issue a Corrected Filing Receipt which reflects the above information.

Respectfully submitted,

KODA & ANDROLIA

By: *[Signature]*
William L. Androlia
Reg. No. 27,177

10100 Santa Monica Boulevard
Suite 2340
Los Angeles, CA 90067
(310) 277-1391

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents and Trademarks, Washington, D.C. 20231 on 8-10-99.

WILLIAM L. ANDROLIA (date of deposit)
Typed or printed name of person signing this certificate

Signature

Dated 8-10-99

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FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

COPY

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/284,935	06/01/99	1761	\$1,100.00	211A-2828-PC	2	12	3

05/03/99

\$1,230.00

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JUN 14 1999

KODA & ANDROLIA
10100 SANTA MONICA BOULEVARD
SUITE 2340
LOS ANGELES CA 90067

KODA & ANDROLIA

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s)

MINORU TAKEBE, TOKYO, JAPAN; MASAKAZU MORIMOTO, TOKYO, JAPAN.

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A 371 OF PCT/JP98/03719 08/21/98

FOREIGN APPLICATIONS- JAPAN 225296/1997 08/21/97

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 06/11/99

TITLE

GROWTH PROMOTING MATERIAL FOR USEFUL MICROORGANISMS
AND PROCESS FOR PRODUCING THE SAME

PRELIMINARY CLASS: 426

BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING MATERIAL AND A
PROCESS FOR PREPARING THE SAME

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MAY 10 1999
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DATA ENTRY BY: NGUYEN, SON

TEAM: 11 DATE: 06/11/99

COPY



211A 2828 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
MINORU TAKEBE et al.
Serial No. 09/284,935
Filed: April 21, 1999
For: BENEFICIAL MICROORGANISM PROPAGATION-
PROMOTING MATERIAL AND A PROCESS FOR
PREPARING THE SAME

Group Art Unit: 1761

LETTER

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

In connection with the above-identified application, upon review of the Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495, a copy of which is enclosed, it was found that it contained errors. Instead of "35 U.S.C. 102(e) Date: 01 June 99," and "Date of Receipt of 35 U.S.C. 371 Requirements: 01 June 99," the correct dates should be --35 U.S.C. 102(e) DATE: 03 May 1999-- and --DATE OF RECEIPT OF 35 U.S.C. 371 REQUIREMENTS: 03 May 1999--. Also enclosed for your reference are copies of a letter, a check for \$130.00, and a returned postcard dated May 3, 1999, and a letter and returned postcard stamped by the Patent Office dated May 27, 1999.

It is therefore respectfully requested that the Patent Office correct its records and issue a Corrected Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495 which reflects the above information.

Respectfully submitted,

KODA & ANDROLIA

By: 

William L. Androlia

Reg. No. 27,177

10100 Santa Monica Boulevard
Suite 2340
Los Angeles, CA 90067
(310) 277-1391

Certificate of Mailing
I hereby certify that this correspondence is being
deposited with the United States Postal Service with
sufficient postage as first class mail in an envelope
addressed to: Commissioner for Patents and Trademarks,
Washington, D.C. 20231 on 8-10-99

WILLIAM L. ANDROLIA (date of deposit)

William L. Androlia Typed or printed name of person signing this certificate

Signature

Dated 8-10-99

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211A 2828 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
MINORU TAKEBE et al.
Serial No. 09/284,935
Filed: April 21, 1999
For: BENEFICIAL MICROORGANISM PROPAGATION-
PROMOTING MATERIAL AND A PROCESS FOR
PREPARING THE SAME



BOX PCT

LETTER

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

Certificate of Mailing
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelop addressed to: Commissioner for Patents and Trademarks, Washington, D.C. 20231 on 5-27-99 (date of deposit)
WILLIAM L. ANDROLIA
Typed or printed name of person signing this certificate
[Signature] Signature
5-27-99 Dated

In response to the Notification of Missing Requirements Under 35 USC 371 dated

May 24, 1999, Applicant respectfully submits that a communication was already sent to the Patent Office on May 3, 1999 via United States Express Mail which included the Declaration & Power of Attorney and the \$130.00 surcharge for the late filing thereof. A copy of the entire communication, which also included an Assignment, Recordation Cover Sheet and Mailing Certificate, is enclosed herewith along with a copy of the returned postcard indicating receipt at the Patent Office.

Applicant therefore respectfully submits that no further documents or fees are required from Applicant at this time. If, however, further fees are required, please charge those fees to KODA & ANDROLIA DEPOSIT ACCOUNT NO. 11-1445.

Respectfully submitted,

KODA & ANDROLIA

10100 Santa Monica Boulevard
Suite 2340
Los Angeles, CA 90067
(310) 277-1391
(310) 277-4118 -fax
WLA/kaq

By: [Signature]
William L. Androlia
Reg. No. 27,177

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COPY

516 Rec'd PCT/PTO

01 JUN 1999

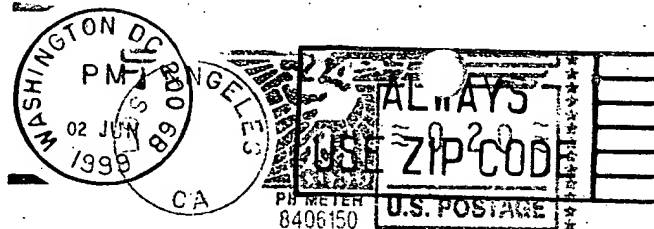
211A 2828 PCT NAKAO & ITO
Serial No. 09/284,935
Inventors: MINROU TAKEBE et al.
For: BENEFICIAL MICROORGANISM PROPAGATION-
PROMOTING MATERIAL AND A PROCESS FOR
PREPARING THE SAME

LETTER WITH MAILING CERTIFICATE, NOTIFICATION
OF MISSING REQUIREMENTS UNDER 35 USC 371, COPY
OF ENTIRE COMMUNICATION TO THE PATENT OFFICE
DATED 05/03/1999, INCLUDING RETURNED POSTCARD.

Sent to PO: May 27, 1999

JUN 04 1999

KODA & ANDROLIA

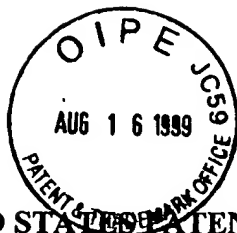


LAW OFFICES OF
KODA & ANDROLIA
10100 SANTA MONICA BLVD., SUITE 2340
LOS ANGELES, CALIFORNIA 90067



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211A 2828-PCT

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
MINORU TAKEBE et al.
International Application No. PCT/JP98/03719
Serial No. 09/284,935
Filed: April 21, 1999
For: BENEFICIAL MICROORGANISM PROPAGATION-
PROMOTING MATERIAL AND A PROCESS FOR
PREPARING THE SAME

ATTN: BOX PCT

LETTER

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231


Dear Sir:

In regards to the above-identified application which was entered into the U.S. National Stage without the Declaration of the inventors, a notification pursuant to 37 CFR 1.494(c) has not yet been issued or sent to the undersigned. However, pursuant to the instructions given to the undersigned by the PCT Help Desk, enclosed herewith please find an executed Declaration & Power of Attorney form and a check in the sum of \$130.00 as the late filing fee so that the requirements for this application can be met. Still further, enclosed herewith please find an Assignment, Recordation Form Cover Sheet and a check in the sum of \$40.00 as the recordation fee.

If any further fees are required by the acceptance of the enclosed forms, please charge those fees of KODA & ANDROLIA DEPOSIT ACCOUNT NO. 11-1445.

Respectfully submitted,

KODA & ANDROLIA

By 
William L. Androlia
Reg. No. 27,177

10100 Santa Monica Boulevard
Suite 2340
Los Angeles, CA 90067
Tel: (310) 277-1391
Fax: (310) 277-4118

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211A 2828 PCT NAKAO & ITO
Inventors: MINORU TAKEBE and MASAKAZU MORIMOTO
Serial No. 09/284,935
For: BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING
MATERIAL AND A PROCESS FOR PREPARING THE SAME

LETTER, MAILING CERTIFICATE, DECLARATION OF
ATTORNEY, ASSIGNMENT, RECORDATION FORM COVER SHEET,
AND CHECKS FOR \$130.00 AND \$40.00.

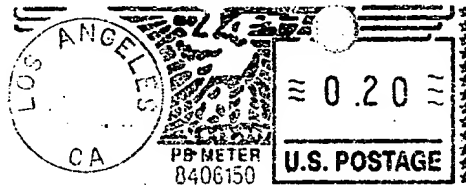
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MAY 11 1999

Sent to PO: May 3, 1999

KODA & ANDROLIA

418 Rec'd PCT/PTO 03 MAY 1999



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KODA & ANDROLIA
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LOS ANGELES, CALIFORNIA 90067